IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

FIRST APPEAL NO.832 OF 1988

1(a) Smt.Meena wd./o.Suni Sapte & Ors. ... Appellants

V/s.

1. M.M. Chabukswar & Anr. ... Respondents

Mr.S.G. Deshpande for Appellants
Mr.C.M. Lokesh i/b G.S. Hegde for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **OCTOBER 21, 2004**

P.C.:

. Mr.Deshpande, appearing for the appellants, seeks liberty to delete Respondent No.3. Accordingly, the appellants are allowed to delete Respondent No.3. Appellant No.1 has already been discharged by order of this Court on 22.7.2003. Appellant No.2 has died and his legal heirs have been brought on record in accordance with the order of this Court dated 8.6.2004.

2. The parties to the appeal have settled the dispute between them. They have tendered Consent Terms signed by Appellant No.1(a) for herself and on behalf of Appellant Nos.1(b) and 1(c), Appellant No.2 and Appellant No.3 and the advocates for Appellants and the Respondents. Consent terms are taken on record and

marked ‘X’ for identification.

3. It is made clear that the amount of Rs.130,000/- which has been agreed to be paid by the Respondent-Corporation to the appellants is over and above the amount of Rs.15,000/- which the Corporation had paid earlier to Rajhibai Bhiku Sapte, the mother of Appellant Nos.2,3 and 4. It is further clarified that the amount of Rs.130,000/- shall be paid to the heirs of Appellant Nos.1 2 and 3 in equal shares. Appellant Nos.1(b) and 1(c) are minors and are represented by their mother and natural guardian Appellant No.1(a). An amount of Rs.10,000/- each for appellants 1(b) and 1(c) shall be kept in fixed deposit of a nationalised bank in this Court initially for a period of five years to be renewed thereafter till the minors attain the age of majority. The appellants may withdraw the balance amount as detailed above after the deposit is made by the Corporation in terms of the consent terms.

4. Appeal disposed of in terms of consent terms and as mentioned above.